

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TAMRA FOGGY et al.,

Plaintiffs,

2:08-cv-00648-RCJ-RJJ

VS.

U.S. CHAPLAIN et al.

Defendants

ORDER

This civil rights action was dismissed with prejudice on August 18, 2009, based on Plaintiff Tamra Foggy's failure to cure defects in her pleading and failure to appear at a status hearing. (Order, ECF No. 28.) In recommending dismissal, the magistrate judge found:

The Complaint here is non-sensical, alleging surveillance by foreign governments, including Spain, Columbia, Vietnam, Japan, Thailand, France, England and the Bureau of Indian Affairs. In a prior hearing, the Court instructed Foggy to amend her Complaint to cure specified defects or risk dismissal with prejudice. Foggy made subsequent submissions but did not cure any of the defects identified by the Court during the prior hearing—including articulating an adequate basis for this Court’s jurisdiction, identifying appropriate defendants, and articulating cognizable federal claims. At least three (3) other cases filed by Foggy relating to these claims have been dismissed in other jurisdictions. The result should be no different here.

(R. & R. 2, ECF No. 26.) Following dismissal, Ms. Foggy took no further action in this case.

However, on November 27, 2017, movant Fredrick Banks filed three motions seeking primarily to reopen the case. Mr. Banks is an inmate at the Northeast Ohio Correctional Center

1 with no apparent connection to Ms. Foggy or interest relating to her Complaint. In his motions,
2 he claims he has “reviewed this case and determined that Plaintiff may be in a CIA ‘Telepathic
3 Behavior Modification’ Program or ‘Project Stargate.’” (Mot., ECF No. 29.)

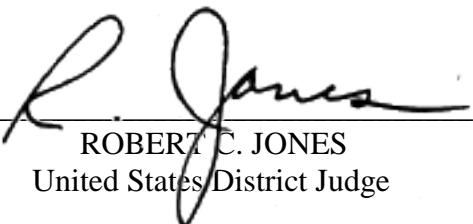
4 The Court denies Mr. Banks’ motions. Mr. Banks has not established any right to join or
5 intervene in this closed case, and further has not alleged any facts giving him standing to assert
6 any claim whatsoever. *See Fed. R. Civ. P. 20(a)(1), 24.* Moreover, Mr. Banks has not identified
7 any appropriate basis for reopening the case. *See Fed. R. Civ. P. 60.*

8 Mr. Banks should make no further filings under this case number. If he has claims to
9 assert on his own behalf, then he may do so by filing a complaint in an appropriate forum. To the
10 extent Mr. Banks wishes to obtain case filings or audio recordings of proceedings, he may
11 communicate with the Clerk of Court to request them. To the extent his motion at ECF No. 31
12 constitutes a request to receive such materials without paying the applicable costs, that request is
13 denied.

14 **CONCLUSION**

15 IT IS HEREBY ORDERED that the motions (ECF Nos. 29, 30, 31) are DENIED.

16 IT IS SO ORDERED. **24 April 2018.**

17 
18 ROBERT C. JONES
19 United States District Judge
20
21
22
23
24